

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ROSS THOMAS BRANTLEY, III,
Petitioner,

v.

LORIE DAVIS, *Director*, TDCJ-CID
Respondent.

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No. 3:17-cv-003-S (BT)

JUDGMENT

The Court has entered its Order Accepting the Findings, Conclusions, and Recommendation of the United States Magistrate Judge in this case. It is therefore **ORDERED** that the successive habeas petition is **TRANSFERRED** to the United States Court of Appeals for the Fifth Circuit pursuant to *In re Epps*, 127 F.3d 364, 365 (5th Cir. 1997). See 28 U.S.C. § 2244(b)(3); 28 U.S.C. § 1631.¹ The Clerk's Office shall transmit a true copy of this Judgment, together with a true copy of the Order accepting the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, to the parties. The Clerk's Office is also directed to open a new civil action (nature of suit 530), with direct assignment to District Judge Karen Gren Scholer and Magistrate Judge Rebecca Rutherford and terminate the Motion for Leave to File En Banc Objection/Hearing [ECF No. 10] in this case.

SO ORDERED.

SIGNED June 22, 2020.


UNITED STATES DISTRICT JUDGE

¹ An order transferring a successive application to the court of appeals is not a final order requiring a certificate of appealability. See *United States v. Fulton*, 780 F.3d 683, 688 (5th Cir. 2015).